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August 24, 2005

FCC Chairman Kevin Martin

445 12th Street, SW

Washington, D.C. 20554

Subject: MM Docket No. 92-264

FCC Chairman Martin:

The following are the National Hispanic Media Coalition's comments on the proposed rules on cable ownership limits. The Federal Communications Commission has suggested what seems to be an arbitrary limit of 30% of cable subscribers. This is the number the industry has used as a guideline to operate. Hence, to evaluate the 30% proposed limit we can consider the current cable situation.

US Public Interest Research Group (US PIRG) estimates that the 10 largest cable operators serve about 85% of all cable subscribers. Currently the two largest cable companies Comcast (with 21.5 million subscribers) and Time Warner (with 10.9 million subscribers) are proposing to purchase the fifth largest cable company Adelphia (with 5.3 million subscribers). Comcast and Time Warner plan to split the properties in order to create regional clusters and further concentrate their holdings in key cities and regions across the nation resulting in no real competition left in each community and less cable choices for the consumer. NHMC along with its national allies is opposing this sale. The sale would result in 36 million of the 70 million US cable subscribers being served by Comcast and Time Warner Cable.

In addition to controlling a major percentage of the nation's broadband capacity, these companies own dozens of channels and services making them the gatekeepers that effectively can deny other cable networks from being on their system, as is the case with Comcast and the only two Latino-theme English Language networks LA-TV and SiTV. No programming network can currently succeed without the blessing of these gatekeepers.

National Hispanic Media Coalition Advisory Committee:

* Luis Avalos, Actor/Director * Bill Dana, Entertainer * Moctesuma Esparza, Esparza/Katz Productions * Nely Galan, Galan Entertainment *
* Dennis Leoni, Patagonia House * Phil Roman, Roman Entertainment * Doyle Rose, Tommy Rose Productions *
* Walter Ulloa, Entravision Communications * Jeff Valdez, Si TV *

Since passage of the Telecommunications Act of 1996 and the "deregulation" of cable, consumers have seen their rates jump an average of 59 percent -- with some areas experiencing even more dramatic increases.



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If cable companies are allowed to get any bigger the cable-related problems that consumers are currently facing such as high-cost, unsatisfactory customer service and controlled programming will only get worse. Cable caps should go no higher than 25% since the current mode of operation has only worked to the detriment of the consumer. Please take into consideration the above comments, as consumers badly need FCC protection.

If you have any questions, I may be reached at (213) 534-3026.

Sincerely,

Alex Nogales
President & CEO

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